

Meeting Minutes

CESQG Rulemaking Workgroup

August 17, 2004

The Conditionally Exempt Small Quantity Generator (CESQG) Rulemaking Workgroup held their second meeting on August 17, 2004, at the Missouri Department of Natural Resources (department) Conference Center in Jefferson City. A copy of the agenda and attendance list is attached.

I. Introductions:

Mr. Rob Morrison, representing the department's Hazardous Waste Program, opened the meeting and asked for introductions of the attendees. Mr. Morrison announced that the minutes from the July 27th meeting are posted on a web site (http://www.dnr.mo.gov/alpd/hwp/cesqg/cesqg_workgroup.htm).

Mr. Morrison continued with an overview of the agenda. He mentioned that the discussion would be to work on a strategy to develop a licensing or certification process for CESQG collection facilities. Mr. Morrison addressed the central issue of small businesses disposing CESQG waste in sanitary landfills, which is inappropriate by the law. He stated that there is a real benefit for reuse and proper disposal of this waste. Mr. Morrison asked about the concept of CESQG collection facilities in the state to make it easier to collect.

II. Manifesting/Generator/Transportation Requirements

A majority of the meeting was used discussing how CESQG waste should be transported to the permanent collection facilities. Several options were discussed. The consensus of the workgroup was that the rule should focus on options A and B.

A. Self-Transportation

The CESQG would transport the waste themselves, without manifesting, directly to the approved CESQG collection facility after waste analysis/identification and approval of the collection facility. This might already be allowable under the current regulations under some circumstances. Federal Department of Transportation and Missouri Department of Transportation requirements always apply to shipments of hazardous materials. These regulations cannot be changed or made less stringent by changing hazardous waste regulations. Some members of the group thought that 90% of the CESQGs would self-transport to reduce cost.

B. Bill of Lading

The CESQG would transport the waste under a Bill of Lading, using a licensed hazardous waste transporter. State regulations pertaining to transporters would have to be revised to allow this method if transporting

- more than 100 kg of (non-acute) hazardous waste,
- 1 kg of acutely hazardous waste, or
- 1 g of 2,3,7,8-TCDD waste.

C. Manifestation

The CESQG would transport the waste using a manifest and licensed hazardous waste

transporter. This is the current requirement under the regulations, if the transporter collects

- more than 100 kg of (non-acute) hazardous waste,
- 1 kg of acutely hazardous waste, or
- 1 g of 2,3,7,8-TCDD waste.

The group also discussed transportation for single owner aggregation points. Some cities have several separate city-owned/operated CESQG facilities. The workgroup is looking at giving these single-owners the ability to take waste to their permanent Small Quantity Generator (SQG) or Large Quantity Generator (LQG) facility for bulking prior to shipment to an approved facility. The consensus of the workgroup was that the new rule should allow only self-transportation from each CESQG facility directly to the aggregation point (SQG or LQG), allowing no “milk runs”.

III. CESQG Collection Facility Requirements

A. Storage Time Limits

The consensus of the group was to allow for a 1-year storage timeframe for wastes to be transported to the final disposal facility. The group realized that most waste would be shipped off-site in shorter timeframes. The 1-year was needed for the low volume material that can be accumulated and bulked for a cheaper disposal cost.

B. Capacity Limits

The group decided to not have arbitrary capacity limits outlined in the new rule. The capacity limits would be based on the design of each facility.

C. Manifestation Requirements

The consensus of the workgroup was that CESQG collection facilities would not be required to manifest shipments of CESQG waste that was going to recycling or disposal facilities. Shipments would be transported under a bill of lading, or other appropriate shipping papers, using a licensed hazardous waste transporter. Once the final recycling or disposal facility received the CESQG waste, it would no longer be considered CESQG waste. The waste would be handled as all other hazardous waste received by the recycling or disposal facility. Transporter regulations would have to be revised.

The workgroup also agreed that the new rule should try to eliminate disposal of CESQG waste in out-of-state Subtitle D landfills by CESQG collection facilities.

It was also suggested that the new rule should have a tiered process. Facility requirements (i.e. training, inspections, etc.) would vary between the levels. A facility that consolidates the waste from other locations under the same ownership could be under the fewest requirements.

Level 1 – Low hazard, high volume waste facilities

Level 2 – Higher hazard wastes

Discussion also included the idea of assessing CESQG waste management facilities fees based on the weight of materials.

IV. Household Hazardous Waste Collection Facilities (HHWF)

Ms. Beth Marsala spoke about HHWF. Currently there are no regulations or oversight of the construction and operation of these facilities. She indicated that the Solid Waste Management Program is looking into drafting some best management practices (BMPs) for these facilities. She also indicated that these BMPs would be based on minimal safety and operational standards, not intending to be burdensome for any facilities, especially existing facilities. After the BMPs are completed and approved by the workgroup, they may be the basis for a new rule. The BMPs will be presented to the workgroup at the next meeting.

Mr. Morrison said that there is a need for more HHWF standards given the variety and in some cases the volume that some HHWF currently accept. Missouri does not have any requirements currently in place.

V. Next Steps

The group agreed that the department would draft parts of the new CESQG rule and distribute them to the workgroup for review. The next meeting will be scheduled after the department has a chance to draft portions of the rule, hopefully in the next couple of months.